

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

DONALD D. WILLIS,

Plaintiff,

vs.

CHASE HOME FINANCE, LLC,

Defendant.

CASE NO. 10CV1021 DMS (BLM)

**ORDER DENYING PLAINTIFF'S
MOTION TO PROCEED IN
FORMA PAUPERIS AND
DENYING AS MOOT
PLAINTIFF'S REQUEST FOR
APPOINTMENT OF COUNSEL**

[Docs. 2 & 3.]

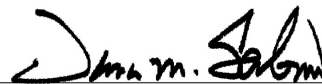
Plaintiff has filed a Complaint for predatory lending and mortgage fraud, along with a motion to proceed *in forma pauperis* and a request for appointment of counsel. Although Plaintiff is currently unemployed, the Court finds that Plaintiff's declaration of inability to pay costs or give security is insufficient to permit him to proceed *in forma pauperis*. Specifically, Plaintiff states that he receives a pension payment of \$2,700 a month from GM Corporation and has \$200.00 in a savings account. (Doc. 2 at 2.) His monthly expenses total \$1,677.10, which leaves him with over \$1,000 per month in income. (*Id.* at 3.)

In light of this information, Plaintiff's motion to proceed *in forma pauperis* is denied DENIED and the Complaint is DISMISSED without prejudice. Pursuant to this Order, however, Plaintiff is granted 30 days leave to pay the \$350 filing fee required to maintain this action pursuant to 28 U.S.C. § 1914, or to submit additional documentation regarding his economic status. **IF PLAINTIFF**

1 **CHOOSES TO FILE ADDITIONAL INFORMATION REGARDING HIS POVERTY, HE**
2 **MUST ATTACH A COPY OF THIS ORDER.** Plaintiff's request for appointment of counsel is
3 denied as moot.

4 **IT IS SO ORDERED.**

5 DATED: May 25, 2010



HON. DANA M. SABRAW
United States District Judge